
Introduced by Senator Padilla

February 23, 2007

An act to amend Section 345.5 of the Public Utilities Code, relating to electrical restructuring.

LEGISLATIVE COUNSEL'S DIGEST

SB 980, as introduced, Padilla. Independent System Operator.

The existing restructuring of the electrical industry within the Public Utilities Act provides for the establishment of an Independent System Operator (ISO) as a nonprofit public benefit corporation. Existing law requires the ISO to maintain open meeting standards and meeting notice requirements consistent with the Bagley-Keene Open Meeting Act.

This bill would make technical, nonsubstantive corrections to the reference to the Bagley-Keene Open Meeting Act as it pertains to the operation of the ISO.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 345.5 of the Public Utilities Code is
- 2 amended to read:
- 3 345.5. (a) The Independent System Operator, as a nonprofit,
- 4 public benefit corporation, shall conduct its operations consistent
- 5 with applicable state and federal laws and consistent with the
- 6 interests of the people of the state.
- 7 (b) To ensure the reliability of electric service and the health
- 8 and safety of the public, the Independent System Operator shall

1 manage the transmission grid and related energy markets in a
2 manner that is consistent with all of the following:

3 (1) Making the most efficient use of available energy resources.

4 For purposes of this section, “available energy resources” include
5 energy, capacity, ancillary services, and demand bid into markets
6 administered by the Independent System Operator. “Available
7 energy resources” do not include a schedule submitted to the
8 Independent System Operator by an electrical corporation or a
9 local publicly owned electric utility to meet its own customer load.

10 (2) Reducing, to the extent possible, overall economic cost to
11 the state’s consumers.

12 (3) Applicable state law intended to protect the public’s health
13 and the environment.

14 (4) Maximizing availability of existing electric generation
15 resources necessary to meet the needs of the state’s electricity
16 consumers.

17 (c) The Independent System Operator shall do all of the
18 following:

19 (1) Consult and coordinate with appropriate state and local
20 agencies to ensure that the Independent System Operator operates
21 in furtherance of state law regarding consumer and environmental
22 protection.

23 (2) Ensure that the purposes and functions of the Independent
24 System Operator are consistent with the purposes and functions
25 of nonprofit, public benefit corporations in the state, including
26 duties of care and conflict-of-interest standards for officers and
27 directors of a corporation.

28 (3) Maintain open meeting standards and meeting notice
29 requirements consistent with the general policies of the
30 Bagley-Keene Open Meetings Meeting Act (Article 9 (commencing
31 with Section 11120) of Chapter 1 of Part 1 of *Division 3 of Title*
32 *2 of the Government Code*) and affording the public the greatest
33 possible access, consistent with other duties of the corporation.
34 The Independent System Operator’s Open Meeting Policy, as
35 adopted on April 23, 1998, and in effect as of May 1, 2002, meets
36 the requirements of this paragraph. The Independent System
37 Operator shall maintain a policy that is no less consistent with the
38 Bagley-Keene Open Meetings Meeting Act than its policy in effect
39 as of May 1, 2002.

1 (4) Provide public access to corporate records consistent with
2 the general policies of the California Public Records Act (Chapter
3 3.5 (commencing with Section 6250) of Division 7 of Title 1 of
4 the Government Code) and affording the public the greatest
5 possible access, consistent with the other duties of the corporation.
6 The Independent System Operator's Information Availability
7 Policy, as adopted on October 22, 1998, and in effect as of May
8 1, 2002, meets the requirements of this paragraph. The Independent
9 System Operator shall maintain a policy that is no less consistent
10 with the California Public Records Act than its policy in effect as
11 of May 1, 2002.

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